Appendix V.

***Vide* Answer to Question No. 151.**

Castewar statement of teachers in English and Vernacular Schools.

Details of castes.	*No. of teachers of English Schools.*	*No. of teachers of Vernacular Schools.*
Malayala Brahmins ...	...	54
Other Brahmins ...	366	855
Nadars ...	2	18
Ezhavas ...	4	295
Kammalas ...	...	24
Kshatriyas ...	5	21
Nayars ...	119	3,813
Pulayalas ...	...	4
Other depressed classes ...	...	8
Vellalas ...	19	165
Other Hindus ...	1	256
Mahomedans ...	14	138
Syrian Christians ...	21	955
Other Christians ...	180	360
Ambalavasis ...	10	...
Konkan Brahmins ...	5	...
Goldsmiths ...	3	...
Carpenters ...	2	...
Naidus ...	2	...
Jew ...	...	...
Total ...	753	6,967

RESOLUTIONS ON MATTERS OF GENERAL PUBLIC INTEREST.

PRESIDENT : We will now proceed to the resolutions.

RESOLUTION *re* MAINTENANCE OF RYOTS' ROADS.

MR. C. P. TARAKAN (*Kunnatnad*) : Sir, I beg to move the following resolution —

"*This Council recommends to the Government that, as the existing rules regarding the maintenance of ryots' roads by Government, are ineffective, a committee may be appointed to revise the same.*"

ഈ സംസ്ഥാനത്തിന്റെ എല്ലാഭാഗങ്ങളിലും ആവശ്യമുള്ള റോഡു കൾ നിർമ്മിക്കുന്നത് ഗവർണ്മെൻറിന്റെ പ്രധാന ചുമതലകളിൽ

LIBRARY ARCHIVES Kerala Legislative Assembly

[Mr. C. P. Tarakan.]

ഒന്നാണെന്നുള്ള ബോധത്തോടുകൂടി ഗവർമ്മെൻറു പ്രവർത്തിക്കയും പലഭാഗങ്ങളിലും പുതുതായി റോഡുകൾ ഉണ്ടാക്കയും ചെയ്തിട്ടുണ്ട്. എങ്കിലും എല്ലാ ആളുകളുടേയും ആഗ്രഹമോ അപേക്ഷയൊ അനുസരിച്ചു റോഡുകൾ ഉടനടൻ തുറക്കുന്നതിനു ഗവർമ്മെൻറിനു സാധിക്കാതെയാണിരിക്കുന്നത്. വിദ്യാഭ്യാസവും പരിഷ്കാരവും വർദ്ധിക്കുന്നതോടുകൂടി പലവക ആവശ്യങ്ങളും വർദ്ധിച്ചുകൊണ്ടിരിക്കുന്നതിനാൽ ഗവർമ്മെൻറു പണം ചിലവുചെയ്തു പുതിയതായ റോഡുകൾ ഉണ്ടാക്കുന്നതിനു മുമ്പിൽതന്നെ ജനങ്ങളും കഴിയുന്നതു ഈ വിഷയത്തിൽ പ്രവർത്തിക്കയും ഉത്സാഹിക്കയും ചെയ്യുമ്പോൾ ഗവർമ്മെൻറു അതിലേയ്ക്കു വേണ്ട സഹായങ്ങളും ചെയ്തുകൊടുക്കേണ്ടതാണു്. കൂടികൾ ഉണ്ടാക്കിയ റോഡുകളെ ഭാവിയിൽ ശരിയായിട്ടു സംരക്ഷിച്ചു കൊണ്ടു പോകണമെന്നുള്ള ഉദ്ദേശത്തോടുകൂടി ഗവർമ്മെൻറു കുറെശ്രമിച്ചിട്ടുണ്ടു. എന്നാൽ ഈ വിഷയത്തിൽ ഗവർമ്മെൻറിൻെറ ശ്രമം സഫലമായിഎന്നുപറയാൻ നിവർത്തിയില്ല. ആദ്യകാലത്തു ജനങ്ങൾ ഉണ്ടാക്കിയ റോഡുകൾ ആവശ്യമാണെന്നു കണ്ടു അവയെ ഗവർമ്മെൻറു് ഏറെറടുത്തു സംരക്ഷിക്കയായിരുന്നു. എന്നാൽ അടുത്ത കാലത്തു് അങ്ങിനേയുള്ള റോഡുകൾ വർദ്ധിക്കണമെന്നുള്ള നല്ല ഉദ്ദേശത്തോടുകൂടി എന്നുള്ള ഭാവേന ഗവർമ്മെൻറിൽനിന്നും കൂടുകൾ ഉണ്ടാക്കിയിട്ടുണ്ടു്. ഈ കൂടുകൾ ആ പ്രസ്ഥാനത്തെ അഭിവൃദ്ധിപ്പെടുത്തുന്നതിനുപകരം പലവിധത്തിലുള്ള പ്രതിബന്ധങ്ങൾ ഉണ്ടാക്കുക മാത്രമാണു് ചെയ്തിട്ടുള്ളതു്. ഇപ്പോൾ ഉള്ള കൂടുകൾ പൂർണ്ണരൂപത്തിൽ പ്രയോഗിക്കുന്നപക്ഷം ഈ വിധത്തിലുള്ള റോഡുകൾക്കു ഒട്ടുംതന്നെ രക്ഷ ഉണ്ടാകയില്ല എന്നുള്ളതു് നിശ്ചയമായി പറയാം. ഈ കൂടുകളിൽ ഉള്ള വകുപ്പുകൾ അതേവിധത്തിൽ പ്രയോഗിക്കുന്നപക്ഷം ഏതെങ്കിലുംറോഡുകളേ ഗവർമ്മെൻറിനു് ഏറ്റുക്കാൻ സാധിക്കുമോഎന്നു് എനിക്കു വളരെ സംശയമാണു്. ഒന്നാമതായി അങ്ങനേയുള്ള റോഡുകൾ ആവശ്യമെന്നു ഉദ്ദേശിക്കുന്ന സ്ഥലത്തു് ഉള്ള ആളുകൾ സംഘമായി ചേർന്നു് രജിസ്റ്റർ ചെയ്യണമെന്നു ഒരു വകുപ്പുണ്ടു്. അതു രജിസ്റ്റർ ചെയ്യുന്നതിനു ഒരു രൂപയാണു് ഫീസു നിശ്ചയിച്ചിട്ടുള്ളതു്. ഇതു് അനാവശ്യമാണെന്നാണു് എൻെറ അഭിപ്രായം. ഗവർമ്മെൻറിനോടു സഹകരിച്ചു ഈ വിഷയത്തിൽ പ്രവർത്തിക്കുന്നതിനു് ഉദ്ദേശിക്കുന്ന ആളുകൾക്കു് ഗവർമ്മെൻറിൽനിന്നും ഇങ്ങനെ പ്രതിബന്ധം ഉണ്ടാക്കിവയ്ക്കുന്നതു ന്യായമല്ല. കോഅപ്പറേറീവ് സൊസൈറി മുതലായവയ്ക്കു ഫീസുകൂടാതെ രജിസ്റ്റർ ആക്കുന്നതിനു ഗവർമ്മെൻറിൽനിന്നും നിശ്ചയിച്ചിട്ടുള്ളതു

LIBRARY ARCHIVES Kerala Legislative Assembly

പോലെ ഈ വക സംഗതികൾക്കും ഫീസുകൂടാതെ രജിസ്റ്റർ ആക്കേണ്ടത് എത്രയും അത്യാവശ്യമാകുന്നു. റോഡുകൾക്ക് ആവശ്യമുള്ള സ്ഥലം കൂടികൂടി വിലകൂടാതെ കൊടുക്കണമെന്നു ഒരു നിശ്ചയം ചെയ്തിട്ടുണ്ട്. ഇതു നല്ലതുതന്നെ. അത് എല്ലായ്പോഴും പ്രയോഗത്തിൽ വരും എന്നുള്ളതു് അസാധാരണയാണ്. ഏതു സ്ഥലത്തായാലും അവിടെയുള്ള എല്ലാ ആളുകൾക്കും ആ സംഗതിയിൽ ഉത്സാഹവും നല്ലമനസ്സും ഉണ്ടാകയില്ല. സ്ഥലംകൊടുക്കണമെന്നു മനസ്സില്ലാത്ത ഏതാനും ആളുകളും ഉണ്ടായിരിക്കുന്നതു് സാധാരണമാണ്. അതിനാൽ എത്ര നല്ലമനസ്സുള്ള ആളുകൾ ഉണ്ടായിരുന്നാലും ഒന്നു രണ്ടു് ആളുകൾ പ്രതിബന്ധം ഉണ്ടാക്കാൻ തയ്യാറാകുകയാണെങ്കിൽ ഒന്നും മുന്നോട്ടുപോകാൻ നിവൃത്തിയില്ലാതാകും. കുറെ ആളുകൾ ഏതാനും ഭൂമി ഗവർണ്മെൻറിലേയ്ക്കു വിലകൂടാതെ കൊടുക്കാൻ തയ്യാറാകുന്നതോടുകൂടി ബാക്കിഭൂമി എടുക്കുന്നതിനുള്ള വിലയും അവർതന്നെ കൊടുക്കണമെന്നു നിർബന്ധമുണ്ടു്. ഇതു വളരെ സങ്കടമാണ്. ഒരു സ്ഥലത്തുള്ള ആളുകളിൽ ഭൂരിപക്ഷം ആളുകളോ അല്ലാ ഏതാനുംപേരോ ഭൂമി വിലകൂടാതെ വിട്ടുകൊടുത്തു റോഡ് ഉണ്ടാക്കുന്നതിനു തയ്യാറുണ്ടായിരിക്കുന്നപക്ഷം അവക്കു ഗവർണ്മെൻറുസഹായത്താൽ ആരാണോ ഭൂമി വിലകൂടാതെ കൊടുക്കാൻ തയ്യാറില്ലാത്തത് അവരിൽനിന്നും ഭൂമി എടുത്തുകൊടുക്കുന്നതിനു ആവശ്യമുള്ള ഒരു നിയമം ഉണ്ടാക്കേണ്ടതാണ്. ഇപ്പോഴത്തെ ഉള്ള റൂൾസ് പുതുക്കി സംസ്ഥാനത്തുള്ള എല്ലാ ആളുകൾക്കും സഹായമായിരിക്കത്തക്കവിധത്തിൽ ഗവർണ്മെൻറ് ശ്രമിക്കണമെന്നേ ഈ നിശ്ചയംകൊണ്ടു ഉദ്ദേശിക്കുന്നുള്ളൂ. ഇങ്ങനെ റൂൾസ് ഉണ്ടാക്കുന്നവിഷയത്തിൽ ഒരു ഇഞ്ചിനീയരും ഒരു റവന്യൂഓഫീസരും ലാമെമ്പരും മുന്നോ നാലോ അന്യോഗസ്ഥന്മാരും കൂടിചേർന്നു ഈ റൂൾസ് നിർമ്മിക്കുന്നതിനു ഒരു കമ്മറ്റി ഏർപ്പെടുത്തണമെന്നു ഞാൻ അഭിപ്രായപ്പെടുന്നു.

MR. K. C. MAMMEN MAPPILLAI (*Commerce and Industry, North*): Sir, I have great pleasure in supporting the proposition.

PRESIDENT: You are seconding it, I suppose?

MR. K. C. MAMMEN MAPPILLAI (*Commerce and Industry, North*): Yes, Sir, I have great pleasure in seconding the proposition moved by Mr. C. P. Tarakan. During the past few years, a very large extent of roads constructed by the ryots at their own expense has been taken over by the Government, and certain parts of the country served by these roads have been marvellously opened up. If only the authorities of Government had any inkling of the immense benefits derived by the people from these roads, I am sure that they would, instead of obstructing the development of this scheme, have done all in their power to forward the movement so much fruitful to the country. It is a wonder to

LIBRARY ARCHIVES Kerala Legislative Assembly

[Mr. K. C. Mammen Mappillai.]

me how the set of rules now promulgated by the Government could have been brought into existence. Mr. John Kurien, till recently the Executive Engineer of the Kottayam Division, was mainly interested in some of the earlier roads being taken up by Government. I once asked him and he condemned the rules wholesale as absolutely unworkable. Even now, he is on special duty under Government.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): Will Mr. Mammen Mappillai specify any particular rule which he considers as unworkable?

MR. K. C. MAMMEN MAPPILLAI (*Commerce and Industry, North*): Yes, I am coming to that. This is not the opinion of mere laymen who are unable to appreciate the difficulties of the department. I believe the Chief Engineer also has not got a good word to say about the rules. Under these circumstances, there is not the least doubt that these rules require a radical and immediate revision. Now, there is one strange feature of these rules, *viz.*, that, before the ryots take up any road, they should first of all get the sanction of the department and that sort of technicalities. That itself is an unworkable thing. What generally happens is that, when the officers of the department are sympathetic, they will be taken to the place and they will informally give the sanction so that the alignment may not be wrong, and the ryots themselves will, in the very outburst of their enthusiasm, come in thousands and construct roads in no time.

Another rule that the department seems to have laid down is that the land through which the road passes should be transferred to the Government by means of a registered deed before the work is undertaken. That again is another trouble. Hundreds of ryots' roads have been taken over, and there was no difficulty, whatever the theoretical objections. As a matter of fact, we find that those roads, which were constructed without these formalities and preliminaries being completed, were completed without any difficulty, and they were taken over by Government. When there is an outburst of enthusiasm, unless it is utilised immediately, there will be all sorts of difficulties, and all these tedious formalities will kill the enthusiasm and make it impracticable for anybody to construct the road.

I may mention one curious instance of the way in which Government have been obstructing and discouraging the people in this enterprise. I think it is now ten or twelve years, if not more, since one hundred or one hundred and fifty miles of the roads I am referring to, were taken over by Government. The land upon which the road has been constructed is still supposed to belong to the ryots and they are compelled to pay tax upon these lands. That is a very iniquitous state of things. The road was taken over by Government, and I suppose steps were taken by the Revenue Department, and I do not know who is responsible. The Dewan, the Land Revenue Commissioner and the Chief

LIBRARY ARCHIVES Kerala Legislative Assembly

Engineer and everybody admitted that it is an iniquitous state of things that the land, which the ryots voluntarily and without any compensation made over to Government, should still be supposed to belong to the ryots and that they should be compelled to pay tax, and that if they fail, coercive procedure will be taken against them. This is an unjustifiable state of matters which is still going on and the Chief Engineer will bear me out. I need not go into details because it will take up too much time of the Council. Since it is admitted by the present Chief Engineer, by Mr. Kurien, and all the ryots who have had experience in this matter—

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): May I know where that road is?

MR. K. C. MAMMEN MAPPILLAI (*Commerce and Industry, North*): It is in the Tiruvalla taluk.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): May I know what is its length?

MR. K. C. MAMMEN MAPPILLAI (*Commerce and Industry, North*): It is 150 miles. The land has been taken, and still the ryots have to pay tax to the Government.

Suppose, there is a road of about 12 or 30 miles. If there are 150 ryots to whom the land may belong, of whom 140 persons may agree, there may be one or two or five members, who, out of spite to the leaders of the movement, may refuse to agree. In such a case, Government should come forward and assume the land when the Government is convinced of the need. When the majority of the people are prepared to hand over the land without compensation, and especially when the people are prepared to pay compensation, it should be the duty of the Government to take up the land for the road. I think that some money should be set apart for making culverts and bridges in these roads. Without these, these ryots' roads are absolutely useless. You will admit, Sir, that it is beyond the resources of the people to make culverts and bridges. The department has admitted that fact. Some definite rules should be laid down in all these matters, and they should be workable and, in any committee that may be formed, Mr. John Kurien who has an intimate knowledge of the working of the system should also be a member.

MR. K. I. JOSEPH (*Minachil cum Devicolam*): May I know whether, in cases where some of the people are unwilling, he means to say that Government should assume the lands without any compensation or after giving compensation?

MR. K. C. MAMMEN MAPPILLAI (*Commerce and Industry, North*): Of course not; they must be given compensation. In some cases people themselves are prepared to pay compensation.

MR. V. SUBBA AIYAR (*Nominated, Deputy President*): Have the Government any power to assume the land without any compensation?

MR. K. C. MAMMEN MAPPILLAI (*Commerce and Industry, North*): I do not think the Government have power to assume the lands without compensation. So, I thought it was self-evident.

LIBRARY ARCHIVES Kerala Legislative Assembly

MR. K. V. NATESA AIYAR (*Chief Engineer*): Sir, Mr. C. P. Tarakan has moved, for the acceptance of the House, the following Resolution:

"This Council recommends to the Government that, as the existing rules regarding the *maintenance* of ryots' roads by Government are ineffective, a committee may be appointed to revise the same."

I am sorry I have to oppose the resolution in its present form. This is a matter in which a resolution of the kind is unnecessary. In the first place, there are no rules regarding the maintenance of ryots' roads in particular. The accepted policy of the Government is to take over ryots' roads under departmental control and maintenance as soon as they are constructed according to the rules in force.

MR. C. P. TARAKAN (*Kunnatnad*): I would like to explain. I sent up the resolution in Malayalam. I said there, "കുടിവക റോഡുകൾ ഗവർമ്മെൻറിൽ നിന്നും ഏറ്റടുത്തു സംരക്ഷിക്കുന്നതിനെപ്പറ്റി". അതിനെ ഇപ്പോൾ "മെയിൻറനൻസ്" എന്ന തർജ്ജിമ ചെയ്തിട്ടുണ്ട്.

MR. T. P. RAMASUBBA AIYAR (*Secretary to Government*): "സംരക്ഷണം" means maintenance.

PRESIDENT: What is the meaning you attach to the word "സംരക്ഷണം"?

MR. C. P. TARAKAN (*Kunnatnad*): I have no objection to my resolution being amended. I wanted to discuss the taking over of the ryots' roads also.

MR. K. V. NATESA AIYAR (*Chief Engineer*): I will accept the amendment in spirit and explain the policy regarding the taking over and maintenance of the roads.

The accepted policy of the Government is to take over ryots' roads under departmental control and maintenance as soon as they are constructed according to rules, and the lands through which the roads pass are formally handed over. The funds for maintenance are in all cases provided by Government with a proper appreciation of their needs. So long as there are no rules hitherto on the subject of maintenance, a committee for revising them is something which I, for one, am unable to understand.

MR. K. C. MAMMEN MAPPILLAI (*Commerce and Industry, North*): Am I to understand that no set of rules relating to ryots' roads has been promulgated?

MR. K. V. NATESA AIYAR (*Chief Engineer*): There are rules for taking over the ryots' roads. The resolution refers to the rules for the maintenance of ryots' roads.

MR. K. C. MAMMEN MAPPILLAI (*Commerce and Industry, North*): Mr. Tarakan emphasises the taking over of the roads.

LIBRARY ARCHIVES Kerala Legislative Assembly

MR. K. V. NATESA AIYAR (*Chief Engineer*): There are rules for taking over ryots' roads, and not for their maintenance, and I am dealing with the question of maintenance first.

MR. C. P. KOCHUKUNJU PILLAI (*Kottarakara cum Kunnatur*): Am I to understand that Mr. Tarakan has also accepted the amended form of the resolution?

PRESIDENT: Yes.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): What is the amended form?

MR. K. V. NATESA AIYAR (*Chief Engineer*): I will propose it as "taking over and maintaining".

MR. C. P. TARAKAN (*Kunnatnad*): I will accept it.

MR. V. SUBBA AIYAR (*Nominated*) (*Deputy President*): Mr. Natesa Aiyar has not proposed any amendment. Mr. Tarakan, I think, is not in order.

PRESIDENT: Mr. Natesa Aiyar is going to speak on the whole subject. You need not trouble about the amendment.

MR. K. V. NATESA AIYAR (*Chief Engineer*): If the committee is for drafting rules for maintenance, I may explain the reasons which make it unnecessary. The department is looking after that item of work with great care. The ryots' roads are, like other roads, maintained by the department. If there is any proposal from an association to take over the work of maintaining and repairing roads, a set of rules may perhaps be necessary, but as the rules and regulations of the department are ample for the purpose, a committee of the proposed nature to frame rules for maintenance will be unnecessary. In reply to the interpellations of Mr. T. J. Matthew, Government have replied that contracts for the maintenance of minor roads will be given to such persons as apply to the Executive Engineer and will conform to the rules and the practice of the department and that, in fact, the Chief Engineer has already issued instructions in this direction to the Executive Engineers in December, 1922.

Coming to the question of the rules for the taking over of the ryots' roads, I wish to give full and correct information and to clear misunderstanding, if any, and so I should like to deal with the history of the subject.

Seeing that the cost of land acquisition, particularly for road projects, was going up by leaps and bounds, thereby making such projects very costly, the late Mr. Bastow, in 1914 or so, invited the attention of Government to the fact that the time had arrived when the co-operation of the people should be secured for the construction of roads, or the extension of communications should be abandoned.

Consistently with this policy, the Chief Engineer, Mr. Bastow, and the then administration encouraged popular efforts for the construction of roads, the interested people surrendering lands free and doing the earthwork and the P. W. D. aligning the road for them. This was first started in the eastern *pakuthies* of the Tiruvalla taluk, and such roads as the "Bastow road", "Krishnan Nair road" etc., were opened. The name "Ryots' roads" came to be given to roads of this kind.

LIBRARY ARCHIVES Kerala Legislative Assembly

MR. C. P. KOCHUKUNJU PILLAI (*Kottarakara* cum *Kunnattur*): May I know how many roads have been opened at the request of the Associations contemplated by the rules?

MR. K. V. NATESA AIYAR (*Chief Engineer*): I have not yet come to the question of the Associations. I am describing the past history.

MR. C. P. KOCHUKUNJU PILLAI (*Kottarakara* cum *Kunnattur*): May I know, Sir, the number of the roads opened by the department at the request of the Associations contemplated under the Rules in question?

MR. K. V. NATESA AIYAR (*Chief Engineer*): Practically none, as far as I am aware.

MR. K. K. THOMAS (*Kottayam*): May I know whether the roads mentioned by him just now were opened before the promulgation of the rules?

MR. K. V. NATESA AIYAR (*Chief Engineer*): These roads came into existence long before the rules were ever dreamt of.

When the present Chief Engineer (*laughter*) was in charge of the Kottayam Division from 8/94 to 4/96,—I am speaking here on behalf of the Government—

MR. C. P. KOCHUKUNJU PILLAI (*Kottarakara* cum *Kunnattur*): May I know again from the Chief Engineer whether a few roads have not been opened at the request of the people under the rules, deviating from the provisions of the rules?

MR. K. V. NATESA AIYAR (*Chief Engineer*): I do not understand. Will the member quote an instance? I am not aware of any such road

MR. C. P. TARAKAN (*Kunnatnad*): കുടികൾ ഇപ്പോൾ കാണുന്ന തിനുമുണ്ടാക്കിയ റോഡുകൾ ഏറ്റുക്കാൻ സർവ്വത്തിയില്ലാത്തതായി തീർന്നിട്ടുണ്ടെന്ന് അറിയാമോ?

MR. K. V. NATESA AIYAR (*Chief Engineer*): All roads which were opened and practically ready for being taken over when the rules came into force were taken over. Many miles of roads were taken over like that. The roads which were subsequently completed are under investigation and survey plans have been received for several of them. They will be forwarded to the Revenue Department for taking action to take over the surrendered lands as Government *poramboke*. When this is done, they will be taken over for maintenance.

Nobody seems to be interested in the previous history of this question and I shall close it.

MR. K. C. MAMMEN MAPPILLAI (*Commerce and Industry, North*): We *are* interested.

MR. K. V. NATESA AIYAR (*Chief Engineer*): When the present Chief Engineer (*laughter*) was in charge of the Kottayam Division as Division Officer from 8/94 to 4/96, he took much interest in the opening of ryots' roads and dealt with the local *sanghams*—

MR. W. H. PITT (*Commissioner of Police*): If it is embarrassing to Mr. Natesa Aiyar, I shall read his speech, if he has no objection. (*Laughter*).

LIBRARY ARCHIVES Kerala Legislative Assembly

MR. K V. NATESA AIYAR (*Chief Engineer*) :- and other representatives who sympathetically and actively encouraged the people to open such roads. To help the people in aligning roads, he had a P. W. Section created at Vennikulam, which continues to this day. About 100 miles of ryots' roads were opened since then. In August 1920, the then Dewan inspected certain roads of the kind and found that the Tiruvalla *Sangham* had constructed several miles of roads till then on the understanding that the Government would do the masonry works and give the finishing touch to the roads and recorded also the opinion that the Government should give an impetus to such popular movements. He also suggested that the maintenance of these and other village roads might be entrusted to the local people who showed an inclination to take up the maintenance subject to the grant of a Government subsidy. Government thereafter forwarded a copy of the Dewan's inspection notes to the Chief Engineer and asked him to frame a set of rules with a a view to give effect to the suggestions regarding maintenance and send them up for their approval. The present Chief Engineer, as Division Officer, Kottayam, reported in November 1920, with regard to the maintenance of the roads, agreeing to the suggestions made by the Dewan and pointed out that the difficulty was to find a village authority or Panchayat or Union with whom the contract for the maintenance might be arranged. He suggested that the Peishkars might be able to arrange with local leaders or through Proverthicars with local *Sanghams* where they existed. Executive Engineer, Mr. John Kurien, who succeeded as Division Officer, submitted a memorandum in the middle of December 1920 to the Chief Engineer (Mr. F. J. Jacob) pointing out the necessity for laying down a procedure in respect of the construction of these roads and the desirability of giving an undertaking that Government would take over the ryots' roads for maintenance and would provide bridges and culverts. He also said that a specification according to which these roads should be constructed was necessary. He pointed out certain difficulties which were being encountered in the matter and requested the Chief Engineer to bring these facts to the notice of Government and obtain their orders. Mr. Jacob asked Mr. Kurien to send up a set of rules. Mr. Kurien sent up the draft rules and specification in March 1921.

The draft rules sent up by Mr. Kurien were examined and amended by Mr. Jacob, Chief Engineer, and forwarded for the approval of Government in April 1921. Towards the end of August 1921, Government published the draft rules and specification in the Gazette and invited suggestions from the public within 6 weeks from the date of the notice. Government finally passed the rules and specification in July 1922 and they are in force, now, and it is these rules that are now sought to be revised. The Government ordered, in their Dis. No. 865 of 22/P. W., dated 10-8-22 that these rules were not intended to apply to the roads required for the use of the depressed classes which should, they said, be opened at Government cost as far as possible. In their R. O. C. No. 613 of 22/P. W., dated 9-9-22, Government told the Chief

LIBRARY ARCHIVES Kerala Legislative Assembly

[Mr. K. V. Natesa Aiyar.]

Engineer that the original owners of lands covered by the ryots' roads thought that they still had private rights over them and they forwarded the opinion of the Additional Head Sirkar Vakil as to how the private right could be extinguished. After some protracted correspondence in the matter with the Land Revenue Commissioner and the present Chief Engineer, Government finally laid down the procedure to be adopted in the matter of transfer of the surrendered lands to the head of *poramboke* and for the abatement of tax, (vide their R. O. C. No. 613 of 22 P. W., dated 21-1-24.) They also ordered thereon that, until the lands are surveyed, demarcated, plotted and maps furnished to the P. W. D. by the Land Revenue Department and the lands are transferred to the head of *poramboke*, no ryots' roads should thereafter be taken for maintenance by the P. W. D. Land plans have been sent up by the P. W. D for more than 50 miles to the Land Revenue Department for necessary action. Land plans for another 20 or 40 miles have been received from the Division Officer, Kottayam, and are about to be sent over to that department. It is believed that that department is taking the necessary action in the matter Meanwhile, the roads taken over are under regular maintenance and bridges and culverts are either completed on some roads or in progress on others. The Division Officer, Kottayam, has recently recommended several miles of roads being taken over for maintenance, and the matter is under correspondence with him.

As Mr. Mammen Mappillai has stated, Mr. J. Kurien has brought to notice that the ryots' roads rules are too rigid and unworkable and that no road was being opened under them and that, unless they are revised, nothing would be done. But no constructive suggestions have been received since the rules were passed. In the 20th session of the Sri Mulam Popular Assembly

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): What about constructive suggestions? He said that no constructive suggestion has been offered.

MR. K. V. NATESA AIYAR (*Chief Engineer*): Yes. Everybody says that the rules are unworkable, but no one has offered constructive suggestions.

In the 20th session of the Sri Mulam Popular Assembly, Mr. D. C. Joseph represented that the rules were unworkable in regard to the roads to the villages of the depressed classes and wanted them to be revised. He was informed then that the rules did not apply to those to be opened for the use of the depressed classes. The revision of the rules has been engaging my attention and I have already recommended to the Government that the rules needed revision in some aspects. As the matter is already receiving attention, I do not think that there is any necessity for a committee on the subject. Government will at an early date publish the revised draft rules in the Gazette and invite public criticism, and if there is any necessity, the public or the interested

LIBRARY ARCHIVES Kerala Legislative Assembly

people may then meet the Chief Engineer or the Dewan at a conference and discuss about the rules. Under these circumstances, I trust the member will not press the resolution.

MR. K K. THOMAS (*Kottayam*) : I wish to add a few words with regard to this resolution, having had some sort of experience in the cutting of the ryots' roads. I wish to draw the attention of the House to the way in which a road is cut. There will be in every village, probably, a party of persons who are interested in constructing roads. The leading man who is interested in it sends some maistry or ordinary labourer and asks the people to cut a road according to their own ideas of road making for about two or three miles to join one or two roads together. The main point that is to be noted is the enthusiasm at the time of cutting the roads.

Immediately after it, all the villagers go together and rush through the work in a day or two which would otherwise have been done in two or three weeks. This is more profitable and useful. So any rule that is calculated to delay the construction of this road or to damp the enthusiasm of the people will not be found workable under the present conditions of the country. A reference to the rules would convince the House that the tardy process of conforming to the rules will take not only months but years. Just as I said in the introduction, it is only at the moment of enthusiasm that all these people go together, and if you lose that moment, the cutting of these roads is impossible. The first rule says that there should be an association which should be registered as a Joint Stock Society and a fee of Rs. 5 should be paid for the purpose. The next rule is with regard to the payment of 15% for compulsory acquisition. The rule runs as follows :

"Whether, in the event of the owners of the lands not being agreeeable to give the lands &c., free, the Association is willing to deposit with Government in advance the estimated market value thereof *plus* 15 per cent of the value for compulsory acquisition."

This rule makes it absolutely unworkable. Just as I said, it is at the moment of enthusiasm that all these people go and cut the roads. But in addition to the value of the land, they have to pay 15 per cent as penalty to Government for compulsory acquisition of the lands. It has been found by experience that, at this time of enthusiasm, if a respected officer of Government or a leader of the public in the place or a Tahsildar, join together and meet the villagers, all of them will agree in writing that they are prepared to cut the road. But if you leave it to lax as ordinary Sirkar *karyam*, the rules will work considerable hardship and the matter will be dropped. There are other portions of the rules which are not suited to the conditions of the country. The specifications of the roads under these rules are perhaps on a par with the roads under the maintenance of the Government. The object of the Government need not be to have a first class road but to make the road a cart road through which the people can take a cart. Government should not insist on the specification that the road should be in such and such a condition ; an ordinary workable condition would be enough.

LIBRARY ARCHIVES Kerala Legislative Assembly

MR. K. MADHAVAN PILLAI (*Trivandrum cum Nedumangad*): Does Mr. Thomas insist upon a committee being appointed for the purpose?

MR. K. K. THOMAS (*Kottayam*): No. I am not very particular of it, I only want the rules to be changed. These roads should have so much width, they should be straight and they should have good gradients; there should not be any curves; there should be gutters—all these specifications the ryots are not able to conform to. The road should be constructed at the very first start. All that is wanted is that the leader in the village and the Revenue Officer should be there either to get an agreement or to cut the road immediately. No time should be lost. If any time is lost, it would not be to the interests of cutting roads but retarding it. The experience of many who have gone into the question of this road-making is that some people go there and delay it when the people are enthusiastic; two days afterwards a man will create a strife between A and B and the road will be closed. Several complaints will come up to the officers. So, unless the land required for the road is taken immediately when the people are prepared for it, the rules, as they are at present, would work hardship. This should be borne in mind when the rules are revised.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): Sir, I have very little to add to the discussion that we have had. On listening to the arguments of some of our friends on this side, it would appear that the main difficulty centres round finding the proper psychological moment (*laughter*) for a road to be taken over by the Government. Mr. Thomas pointed out the *modus operandi* in opening ryots' roads. He described how, when one of the prominent men in a particular village thinks of having a ryots' road, he generally proceeds to set about it by giving a feast and then Mr. Thomas says sufficient enthusiasm is generated. (*Laughter*.) Under the mesmeric influence of enthusiasm, much work is being done. He observes with considerable sorrow that if that particular psychological moment is missed by Government, it would be impracticable to follow the rules and as such much damage will be caused to the ryots' roads. Well, Sir, that, I fear, is destined to be somewhat impracticable, for unless all parties interested in this matter are invited at the moment when this enthusiasm is produced, it will be difficult to take advantage of that.

MR. K. K. THOMAS (*Kottayam*): Has he had anything to do with this?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): Absolutely nothing. I have not seen the process myself; I must confess my ignorance. If it is the feast on which, by experience, it is found possible to generate enthusiasm, that feast can be repeated and the necessary enthusiasm can be reproduced so often as any person wants roads. It cannot be said that the matter ends once for all. With respect to the observation of the expert gentleman practically supported by the Chief Engineer to some extent and to the observation of my friend Mr. Mammen Mappillai that

LIBRARY ARCHIVES Kerala Legislative Assembly

the rules are absolutely difficult to manage, because they are entwined with a number of technica'ties, I have to observe, Sir, that it is after all a question of making rights devolve upon Government from the private ownership of property. A number of technicalities are unavoidable as the laws of Travancore stand at present. If, for the sake of technicalities we are going to suffer, I fear in their absence we would have what Mr. Thomas referred to as constant litigation in criminal courts and civil courts as a necessary result. Of course enthusiastic moments may be selected to get through this. Therefore, simply by impulsive action not covered by rules encroachment of other people's property is authorised, I submit, Sir, it would be very unwelcome. Certain rules will have to be framed.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): Can you not make the rules elastic?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): Which rules does the member mean? Are they the rules relating to registration of title-deeds?

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): The rules to be framed.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): I do not know whether they are in existence or not? How can I speak upon rules which will come hereafter?

In the matter of opening these village roads, I have come across a few instances here and there where, by the imposition of the will of some prominent people in the locality, poor and helpless people are made to yield to something like *force majeure* in the matter of obtaining their permission for opening roads. It may be convenient for some sort of people in certain villages to take roads through places encroaching upon certain poor people's places. If the poor man is to be dominated by the weight of the rich.—

MR. K. K. THOMAS (*Kottayam*): May I know whether it is not the poor man who is going to cut the road?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): It may not be. But I know the case of one man who opposed an attempt to cut a road. I know such a case, I myself drew up the plaint to be filed before the Tiruvalla Court, and the matter is still pending. Therefore what I say is that there should not be an attempt on the part of the wealthy people to coerce the poor people; they may be rich or they may be influential. It is only with respect to that aspect of the question that I wanted to speak. To consider technicalities as an aversion, I think, is not the right way of doing it. I think Mr. Mammen Mappillai was saying so and Mr. Thomas was also repeating it. I think they said that waiting for technicalities may prove injurious in certain quarters.

LIBRARY ARCHIVES Kerala Legislative Assembly

MR. K. K. THOMAS (*Kottayam*) : What I said was that you should take advantage of the opportunity so that technicalities may be in their place.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*) : Yes, especially on such occasions as holding the feast, the Chief Engineer may be himself present as Master of Ceremonies.

MR. K. C. MAMMEN MAPPILLAI (*Commerce and Industry, North*): What I said was about avoidable technicalities?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*) : There are unnecessary technicalities, for example at the time of executing documents asking the witnesses to stand upon their head ; such may be dispensed with (*Laughter*).

MR. C. P. TARAKAN (*Kunnatnad*): എന്റെ പ്രമേയത്തിൽ ചില ഭാഗങ്ങൾ അഫിഷ്യൽ മെംബർ സമ്മതിച്ചതുകൊണ്ട് ഈ റൂൾസിനെ പറ്റി അധികം വിസ്തരിക്കണമെന്ന് ഞാൻ വിചാരിക്കുന്നില്ല. വില്ലേജിലുള്ള ന്യൂനഭാഗം ആളുകളുടെയും ആഗ്രഹത്തേയും അഭിപ്രായത്തേയും ബഹുമാനിക്കേണ്ടതാണെന്നും അവരുടെ പുരയിടങ്ങൾ വെട്ടിമുറിക്കാൻ അനുവദിച്ചുകൂടെന്നും മിസ്റ്റർ പി. കെ. നാരായണപിള്ള പറഞ്ഞു. റയട്ട്സ് റോഡിൽ മാത്രമല്ല പബ്ലിക് റോഡുകളിലും ഇതുമാതിരിയുള്ള അനിഷ്ടസംഭവങ്ങൾ ധാരാളം സംഭവിക്കുന്നുണ്ടെന്നും അവ ഒഴിച്ചുകൂടാൻ നിവൃത്തിയില്ലെന്നും പറയേണ്ടിയിരിക്കുന്നു. എന്നു മാത്രമല്ല, റയട്ട്സ് റോഡിനെ സർവ്വെചെയ്യുന്നതിനു ഗവർണ്മെൻറ് അസിസ്റ്റൻറ് ഇൻജിനീയരോ സൂപ്രവൈസരോ ചുമതലപ്പെട്ടിരിക്കുമ്പോൾ അതുടേയും പ്രത്യേകമായ ഹിതത്തിനോ ആഗ്രഹത്തിനോ അനുസരിച്ചു മറ്റുള്ളവർക്കു ദോഷമുണ്ടാകും എന്നു വിചാരിക്കാനും ന്യായമില്ല. റൂൾസ് ഭേദപ്പെടുത്തുന്നതിനെ സംബന്ധിച്ചു ഗവർണ്മെൻറു ആലോചിക്കുന്നു എന്നും പാസ്സാക്കിയുടൻ അതു ഗസറ്റിൽ പ്രസിദ്ധപ്പെടുത്തി പൊതുജനാഭിപ്രായം വരുത്തിയതിനു ശേഷം തീർച്ചപ്പെടുത്താമെന്നും ചീഫ് ഇൻജിനീയർ പറകയുണ്ടായി. അതിൽ മാത്രം സ്വല്പം അഭിപ്രായവ്യത്യാസം എനിക്കുണ്ട്. ൻ൯ ലെ പ്രജാസഭയിൽ ഈ സംഗതി ഞാൻ ഗവർണ്മെൻറിന്റെ ദൃഷ്ടിയിൽ കൊണ്ടുവരികയും ഈ റൂൾസിനെ ഒരു കാൺഫ്റൻസുകൂടി ഭേദപ്പെടുത്തണമെന്നു പറയുകയും ചെയ്തു. റൂൾസുകൾ ഭേദപ്പെടുത്തേണ്ടതത്യാവശ്യമാണെന്നും അതു ഭേദപ്പെടുത്താമെന്നും അന്നത്തെ അദ്ധ്യക്ഷനായിരുന്ന ദിവാൻജി സമ്മതിച്ചു. എന്നിട്ടുകൊല്ലം ഇപ്പോൾ ഒന്നരകഴിഞ്ഞിരിക്കുന്നു. എന്നുമാത്രമല്ല ഈ റൂൾസ് നടപ്പിൽ

LIBRARY ARCHIVES Kerala Legislative Assembly

വരുന്നതിനുമുമ്പായി ഉണ്ടായിട്ടുള്ള റോഡു ഗവർമ്മെൻറിൽ നിന്നും എടുക്കാതെയും ഇരുന്നിട്ടുണ്ട്. എനിക്കതനുഭവമുണ്ട്. കുന്നത്തുനാട്ടിൽ ഒരു പകുതിയിലുള്ള ഒരുറയട്ട് റോഡു പൂർണ്ണമായി കലുങ്കു മുതലായവ തീർത്തു നാലുകൊല്ലം കഴിഞ്ഞിട്ടുണ്ട്. ഗവർമ്മെൻറു ഇതുവരെയും ഏറെറടുക്കയോ സംരക്ഷിക്കയോ ചെയ്തിട്ടില്ല. അതിനാൽ റൂൾസ് ഭേദപ്പെടുത്തുന്നതു സംബന്ധിച്ചു ചീഫ് ഇൻജിനീയർ ഡിപ്പാർട്ടുമെൻറിൽ അധികപരിചയമുള്ള മററു ഉദ്യോഗസ്ഥന്മാരോടും റയട്ടറോഡു സംബന്ധിച്ചു പരിചയമുള്ള അനുദ്യോഗസ്ഥന്മാരോടും കൂടി ആലോചിച്ചു ശരിപ്പെടുത്താം എന്നുസമ്മതിക്കുന്നപക്ഷം ഈ കമ്മിററിവേണമെന്നഭിപ്രായമില്ല. ഉദ്യോഗസ്ഥന്മാരും അനുദ്യോഗസ്ഥന്മാരും കൂടിയാലോചിക്കുന്നതിനു പ്രത്യേകം ശ്രദ്ധിക്കണം. ഗവർമ്മെൻറു ഉദ്യോഗസ്ഥന്മാരെ മാത്രം വച്ചുകൊണ്ടുറൂൾസ് ഭേദപ്പെടുത്തി റിക്കാർഡ്ചെയ്യാമെന്നഭിപ്രായത്തിനുന്നയിച്ചു പ്രസിദ്ധപ്പെടുത്തി അനുദ്യോഗസ്ഥന്മാരുടെ അഭിപ്രായം വരാൻ കാത്തിരിക്കുകയും അനുദ്യോഗസ്ഥന്മാരുടെ അഭിപ്രായം കിട്ടിയില്ലെന്നു വരികയും പിന്നെയും ഒരു പ്രമേയം അവതരിപ്പിക്കേണ്ട ആവശ്യം ഉണ്ടാകയും ചെയ്യരുതെന്നാണ് എൻെറ അഭിപ്രായം. അതിനാൽ നാണഫിഷ്യൽ മജാർട്ടിയുള്ള ഒരു കാൺഫറൻസ് വിളിച്ചുകൂടി ഈ റൂൾസ് ഏഴുതിയുണ്ടാക്കാമെന്നു ചീഫ് ഇൻജിനീയർ പറയുന്നപക്ഷം എനിക്കൊരു കമ്മിററിവേണമെന്നുള്ള അഭിപ്രായമില്ലാ. അല്ലാത്തപക്ഷം കമ്മിററിവേണമെന്നാണു എൻെറ അഭിപ്രായം.

MR. K. V. NATESA AIYAR (*Chief Engineer*): Sir, I do not wish to prolong the discussion any further as there are other resolutions to be moved, unless the member wants definite information on any matter. As Mr. Tarakan has requested, I have no objection in consulting non-official gentlemen interested in the matter, before I forward the draft revised rules to the Government. I will consult the leaders at such places as Tiruvalla, Kottayam, Alwaye etc. With this assurance, I hope the member will withdraw the resolution

MR. C. P. TARAKAN (*Kunnatnad*): I withdraw the resolution.

The resolution was, by leave, withdrawn.

LIBRARY ARCHIVES Kerala Legislative Assembly